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23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA

25 SAN FRANCISCO DIVISION

26 SONOS, INC.,

27 Plaintiff,

28 vs.

GOOGLE LLC,

Defendant.

Case No. 3:20-cv-06754-WHA

Related to Case No. 3:21-cv-07559-WHA

**GOOGLE LLC'S REVISED OMNIBUS  
ADMINISTRATIVE MOTION TO FILE  
UNDER SEAL PURSUANT TO THE  
COURT'S ORDER RE PENDING  
MOTIONS TO SEAL (DKT. 817)**

## I. INTRODUCTION

Pursuant to Civil Local Rules 7-11 and 79-5 and the Court's Order re Pending Motions to Seal (Dkt. 817) ("Order"), Plaintiff Google LLC ("Google") hereby submits this Revised Omnibus Administrative Motion to File Under Seal Pursuant to the Court's Order re Pending Motions to Seal (Dkt. 817). Google requests that the Court seals the portions of the documents identified in the charts below. This request is supported by the accompanying Declarations of Jocelyn Ma and Sean Pak.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
335-3	Exhibit 1 to Hefazi Declaration	Portions outlined in green boxes	Declaration of Jocelyn Ma ("Ma Decl.") ¶¶ 6, 7.
467-3	Exhibit 1 to Kaplan Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
467-4	Exhibit 2 to Kaplan Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
467-5	Exhibit 3 to Kaplan Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
467-7	Exhibit 5 to Kaplan Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
482-3	Exhibit 1 to Google's MSJ	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
482-4	Exhibit 2 to Google's MSJ	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
482-5	Exhibit 5 to Google's MSJ	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
482-12	Exhibit 21 to Google's MSJ	Portions outlined in green boxes	Ma Decl. ¶¶ 13, 14.
482-13	Exhibit 22 to Google's MSJ	Entire document	Ma Decl. ¶¶ 6, 7.
491-5	Exhibit 8 to Hefazi Declaration	Portions outlined in green boxes	Ma Decl. ¶ 8.
491-7	Exhibit 10 to Hefazi Declaration	Entire document	Ma Decl. ¶¶ 6, 7.
491-9	Exhibit 19 to Hefazi Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
491-11	Exhibit 21 to Hefazi Declaration	Portions outlined in green boxes	Ma Decl. ¶ 20.
491-14	Exhibit 25 to Hefazi Declaration	Entire document	Ma Decl. ¶¶ 6, 7.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
502-4	Exhibit 1 to Hefazi Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-1	Exhibit 1 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-2	Exhibit 2 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-5	Exhibit 5 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-8	Exhibit 10 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-9	Exhibit 11 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
506-10	Sonos's Opposition to Google's Motion to Strike Experts	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
511-3	Opposition to Sonos's Motion to Realign the Parties	Portions highlighted in green	Ma Decl. ¶¶ 13, 14
511-4	Exhibit 1 to Robins Declaration	Entire document	Ma Decl. ¶¶ 13, 14
516-3	Opposition to Sonos's MSJ	Portions outlined in green boxes	Ma Decl. ¶¶ 17, 18.
516-8	Exhibit 17 to Ma Declaration	Entire document	Ma Decl. ¶¶ 6, 7, 17, 18.
516-13	Exhibit 35 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 17, 18.
516-14	Exhibit 36 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 6, 7, 17, 18.
516-16	Exhibit 38 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 17, 18.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
516-17	Exhibit 40 to Ma Declaration	Entire document	Ma Decl. ¶¶ 17, 18.
516-18	Exhibit 41 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 17, 18.
524-1	Sonos's Reply ISO Motion to Strike Expert Reports	Portions outlined in red boxes	Ma Decl. ¶ 19.
528-4	Exhibit L to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
546-3	Revised Sealed Dkt. 210-3	Portions outlined in red boxes	Ma Decl. ¶¶ 6, 7.
546-4	Revised Sealed Dkt. 263-1	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
546-5	Revised Sealed Dkt. 209-4	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7.
546-5	Revised Sealed Dkt. 247-3	Portions outlined in blue boxes on page 10	Ma Decl. ¶¶ 9, 10, 11, 12, 13, 14, 15, 16, 19.
546-6	Revised Sealed Dkt. 252-2	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7.
605-3	Exhibit D to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 11, 12, 13, 14, 15, 16, 19.
609-3	Exhibit 1 to Cooper Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10
609-4	Exhibit A to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 11, 12, 13, 14, 15, 16, 19.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
612-3	Exhibit 3 to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 9, 10, 11, 12, 21, 22,
616-3	Sonos Opposition to Google's MIL No. 4	Portions outlined in green boxes	Ma Decl. ¶¶ 9, 10, 13, 14.
616-4	Exhibit 1 to Robins Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10.
616-5	Exhibit 5 to Robins Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 11, 12.
616-6	Exhibit 6 to Robins Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10.
616-7	Exhibit A to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 11, 12, 13, 14, 15, 16.
616-8	Exhibit D to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 13, 14.
623-3	Attachment A to Aubry Declaration	Portions outlined in red boxes on pages 38, 64, 106, 111, 144-147, 149	Ma Decl. ¶¶ 6, 7, 17, 18.
629-1	Attachment A to Ma Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 13, 14.
629-3	Attachment C to Ma Declaration	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7; 19.
629-4	Attachment D to Ma Declaration	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7.
643-1	Exhibit B	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 13, 14, 21, 22.
643-2	Exhibit 1	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 13, 14, 15, 16, 21, 22.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
643-3	Exhibit 2	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 13, 14.
643-4	Exhibit 3	Portions outlined in green boxes	Ma Decl. ¶¶ 9, 10, 13, 14.
645-1	Exhibit 6 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10.
671-3	Exhibit 2 to Ma Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 15, 16.
671-4	Google's Response to Request for Information (Dkts. 649, 661)	Portions outlined in green boxes	Ma Decl. ¶¶ 15, 16.
675-3	Response to Sonos's Request for Clarification	Portions highlighted in green	Ma Decl. ¶¶ 13, 14
675-4	Exhibit 2 to Judah Declaration	Entire document	Ma Decl. ¶¶ 6, 7.
675-5	Exhibit 5 to Judah Declaration	Entire document	Ma Decl. ¶¶ 13, 14.
681-4	Exhibit B to Aubry Declaration	Portions outlined in red boxes on PDX2.61	Ma Decl. ¶¶ 6, 7.
692-2	Exhibit 3	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
715-3	Google's Response to Sonos's Request re: No Longer Asserted Patents (Dkt. 699) and Proffer of Testimony of Alaina Kwasizur (Dkt. 715)	Portions highlighted in green	Ma Decl. ¶¶ 13, 14
715-4	Exhibit 2 to Ma Declaration	Entire document	Ma Decl. ¶¶ 13, 14.
737-4	Exhibit 2 to Hefazi Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 410-6	Exhibit 1 to Moss Declaration (Part 1)	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 410-7	Exhibit 2 to Moss Declaration (Part 2)	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 410-8	Exhibit 4 to Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
Dkt. 438-3	Exhibit 11 to Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 438-4	Exhibit 12 to Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 440-11	Exhibit 2 to the Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 440-15	Exhibit 6 to the Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 440-18	Exhibit 11 to the Moss Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 455-3	Exhibit 1 to Joint Discovery Letter Brief	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 475-13	Sonos's Motion to Strike	Portions outlined in green boxes	Ma Decl. ¶19.
Dkt. 475-1	Exhibit A	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 475-2	Exhibit B	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7, 19.
Dkt. 475-3	Exhibit C	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 475-5	Exhibit I	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 475-6	Exhibit J	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 475-7	Exhibit K	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 475-9	Exhibit U	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 475-10	Exhibit V	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 475-11	Exhibit W	Portions outlined in green boxes	Ma Decl. ¶19.
Dkt. 475-12	Exhibit X	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 479-2	Sonos's Motion for Summary Judgment Regarding Google's Contract-Related Claims	Portions outlined in red boxes	Ma Decl. ¶¶ 17, 18.
	Exhibit 1 to Kwasizur Declaration	Entire Document	Ma Decl. ¶¶ 17, 18.

Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
Dkt. 506-10	Sonos's Opposition to Google's Motion to Strike	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 506-1	Exhibit 1 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 506-2	Exhibit 2 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 506-3	Exhibit 3 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 488-7	Exhibit 5 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 506-6	Exhibit 6 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 488-13	Exhibit 10 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 506-9	Exhibit 11 to Richter Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 524-1	Sonos's Reply in Support of Its Motion to Strike	Portions outlined in green boxes	Ma Decl. ¶ 19.
Dkt. 528-3	Exhibit F	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 528-4	Exhibit L	Portions outlined in green boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 533-2	Sonos's Reply in Support of Its Motion for Summary Judgment	Portions outlined in blue boxes	Ma Decl. ¶¶ 17, 18.
Dkt. 629-1	Attachment A	Portions outlined in green boxes	Ma Decl. ¶¶ 17, 18.
Dkt. 629-3	Attachment C	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7; 19.
Dkt. 629-4	Attachment D	Portions outlined in blue boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 590-2	Sonos's Motion in Limine No. 1	Portions outlined in green boxes	Ma Decl. ¶¶ 13, 14.
Dkt. 590-4	Exhibit B to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 13, 14, 21, 22.
Dkt. 590-5	Google's Response to Sonos's Motion in Limine No. 1	Portions outlined in green boxes	Ma Decl. ¶¶ 13, 14.
Dkt. 598-2	Google's Response to Sonos's Motion in Limine No. 4	Portions highlighted in green	Ma Decl. ¶¶ 13, 14.



Dkt.	Document	Portion Sought to be Sealed	Basis for Sealing
Dkt. 598-3	Exhibit 4 to Judah Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 15, 16.
Dkt. 598-4	Exhibit 8 to Judah Declaration	Entire document	Ma Decl. ¶¶ 13, 14.
Dkt. 692-2	Exhibit 3 to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 692-3	Exhibit 4 to Kolker Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 6, 7.
Dkt. 704-10	Exhibit 10 to Kwasizur Declaration	Entire document	Ma Decl. ¶¶ 13, 14.
Dkt. 704-13	Exhibit 13 to Kwasizur Declaration	Portions outlined in green boxes	Ma Decl. ¶¶ 13, 14.
Dkt. 728-2	Exhibit A to Caridis Declaration	Portions outlined in red boxes	Ma Decl. ¶¶ 9, 10, 11, 12, 15, 16.
Dkt. 728-3	Exhibit B to Caridis Declaration	Entire document	Ma Decl. ¶¶ 9, 10, 11, 12, 15, 16.

## II. LEGAL STANDARD

Civil Local Rule 79-5(c) provides that a party seeking to file its own documents under seal must file an administrative motion that articulates the applicable legal standard and reasons for keeping a document under seal, includes evidentiary support from a declaration where necessary, and provides a proposed order that is narrowly tailored to seal only the sealable material.

“Historically, courts have recognized a ‘general right to inspect and copy public records and documents, including judicial records and documents.’” *Kamakana v. City & Cty. of Honolulu*, 447 F.3d 1172, 1178 (9th Cir. 2006) (quoting *Nixon v. Warner Commc’ns, Inc.*, 435 U.S. 589, 597 & n.7 (1978)). In the Ninth Circuit, two different standards may apply to a request to seal a document – namely the “compelling reasons” standard or the “good cause” standard. *Blessing v. Plex Sys., Inc.*, No. 21-CV-05951-PJH, 2021 WL 6064006, at \*12 (N.D. Cal. Dec. 22, 2021) (citing *Ctr. For Auto Safety v. Chrysler Grp., LLC*, 809 F.3d 1092, 1096-97 (9th Cir. 2016)). “To seal records in connection with a ‘dispositive’ motion or a motion that ‘more than tangentially relate[s] to the merits of a case,’ ‘compelling reasons supported by specific factual findings that outweigh the general history of access and the public policies favoring disclosure’ are required.” *Bronson v. Samsung*

1 *Elecs. Am., Inc.*, No. C 18-02300 WHA, 2019 WL 7810811, at \*1 (N.D. Cal. May 28, 2019) (quoting  
2 *Kamakana*, 447 F.3d at 1178-79).

### 3 **III. THE COURT SHOULD SEAL GOOGLE'S CONFIDENTIAL INFORMATION**

4 Pursuant to the Court's directive in the Order, Google has submitted revised, narrowly-  
5 tailored requests that seek to seal documents or portions thereof after review of the information that  
6 has already become public over the course of this litigation via court filings, orders, public hearings,  
7 at trial, and otherwise. The bases for these sealing requests are explained in the Declaration of  
8 Jocelyn Ma filed in support of this motion.

### 9 **IV. CONCLUSION**

10 For the foregoing reasons, Google respectfully requests that the Court grant Google's  
11 Revised Omnibus Administrative Motion to File Under Seal Pursuant to the Court's Order Re  
12 Pending Motions to Seal (Dkt. 817).

14 DATED: July 3, 2023

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By: /s/ Sean Pak

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